Supreme Court, U.S.
FILED

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No. _____

In The
SUPREME COURT OF THE UNITED STATES

October Term 2002

Joan Godwin PIERSON,
Petitioner Pro Se

v.

Charles E. Smith Company.
Respondent

On Petition For Writ Of Certiorari
To The Virginia Supreme Court
and to Arlington County Va. Circuit Court

PETITION FOR WRIT OF CERTIORARI

Joan Godwin Pierson
Petitioner Pro Se
for
Joan Godwin Pierson
2126 P Street #337
Washington D.C. 20037
202-320-2312

QUESTIONS PRESENTED

1. Whether breach of contract where one party makes an oral agreement for services and use of property in exchange for prepayment, refuses to provide the services, violates state and federal statutes, common laws and the U.S. Constitution Art 1, sec.10[1], Amend. XIV sec.1.

2. Whether absence of a State statute in conflict with protections provided by other states, where federal and state laws are silenced when a party who has been delinquent in payment is protected from loss of service and use of property, but where absence of protection Permits unilaterally discontinuing service and use of property for a party who prepaid, awards delinquency but punishes law-abiding citizens for the same issue, Violates U.S. Constitution Art 1, sec.10[1], Amends. IV and XIV sec.1.

3. Whether a State Supreme Court abused its discretion in conflict with decisions of this Court and of other courts, by suppressng the first of two consolidated cases and all facts, laws, and federal questions all having been ignored at trial [see trial transcript] by denying review of final jugment on sole ground that Circuit Court had made "no reversible error" appearing to consider only plaintiff's order [signed by Circuit Court judge without defendant's knowledge] for seizure of property, two money judgments, and attorney fees; trial court's having dismissed the controlling first case without adjudication for no cause or reason; had ignored facts and all laws cited, having destroyed the dispositive evidence; refusing to permit consideration of vital legal authorities both Judicial and Congressional when failure to do so precludes a petitioner from ever receiving any adjudication of his claims on the merits; and conflicts with precedents. Violates the U.S. Constitution Art.1 sec.10[1], Amend. XIV, sec 1(10); and Rules 10 and 11 Compelling reasons for granting certiorari.

LIST OF PARTIES

The parties to this petition are Joan Godwin Pierson, petitioner, 2126 P Street #337, Washington D. C. telephone 202-320-2312 and Charles E. Smith Company c/o attorney Deckelbaum, Ogens & Raftery, 3 Bethesda Metro center, suite 200, Bethesda, Maryland 20814, phone 301-961-9200, fax 301-961-9229. Pierson is an individual American citizen. Nationwide Smith's Corporate disclosure statement is unavailable to Pierson.

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TABLE OF AUTHORITIES

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M.L.B. v. S.L.J. (1996) 519 U.S. 102
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113 S.Ct. 2711; 125 L.Ed.2d 366 ------ 4.5.12

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RULES

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BEST AVAILABLE COPY

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TABLE OF AUTHORITIES [con't]

CODES

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#55-248.8 ---------- 4.8
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#55-248.39 retaliatory ---------- 4.11

MISCELLANEOUS LITERATURE AND TREATISES

"Documents of History" ed. by Henry Steele Commager, sixth ed. Appleton-Century-Crofts. Inc.1958 [at 128ff] on the Northwest Ordinance ---------- 9

The Records of The Federal Convention of 1787, by Max Farrand, pub. Yale University Press Press 1911 ["Records"], vol.II @ 439,440 ---- 9

The Constitution of the United States of America: Analysis and Intertretation, prepared by the Congressional Research Service Library of Congress Johnny H. Killian, George A. Costello. Co-Editors U.S. Government Printing Office. Washington (1996) ---------- 10

Supreme Court Practice 7th Ed. by Robert L. Stern, Eugene Gressman Stephen M. Shapiro, and Kenneth S. Geller, pub Bureau of National Affairs, Inc.[D.C.] #3.6 to 3.7 at 100 to 108 ---------- 2,3

The Undervalued Nonlegislative Rule, Administrative Law Review vol 54, no.2, spring 2002 pub American Bar Associationn at 871 ff by Russell L. Weaver, introduction #3 ---------- 4

OPINIONS BELOW

On June 22, 2001 Arlington County Virginia Circuit Court denied petitioner Pierson's motion to add new party Charles E. Smith for Smith's breach of contract to a related case.

On June 27, 2001 Pierson filed Complaint #01-508 against respondent Smith for breach of contract. On July 07, 2001 respondent Smith filed a retaliatory "unlawful detainer."

On July 27, 2001 Circuit Court consolidated Smith's case 01-814 [aka "01-616"] with the first case: Pierson's June 27, 2001 Complaint.

On December 12, 2001 Trial Court's final judgment written by Smith's attorney and signed by a temporary judge on December 17, 2001, dismissed Pierson's June 27 case #01-508 without adjudication and granted to respondent possession of Pierson's prepaid home, her prepayment funds, two money judgments, and attorney fees.

BASIS FOR JURISDICTION

Code #28 USC 1257 provides immediate review of State Court cases where the validity of a State statute is questioned on ground of its being repugnant to the Constittion and laws of the United States and a party's rights and privileges are claimed under the Constitution and/or statues.

On June 24, 2002 Virginia State Supreme Court [record #020679] refused to review the eviction and the Money Judgment on sole ground that
"THERE IS NO REVERSIBLE ERROR."

Pierson filed on due date a petition to rehear which Virginia Supreme Court determined untimely.

STATE COURT JURISDICTION HAD ENDED with Virginia Supreme Court's June 24, 2002 refusal to review.

Rule 10(a) states compelling reasons to grant Certiorari to Federal appellate courts. This High Court can also refuse to apply certain principles of law in an action involving states, if those principles are not appropriate under the circumstances [Am Jur 2d #599 at 810]. In the instant cases the State courts have "so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory powers" [Rule 10(a) at 5+6].

Rule 11 gives U.S. Supreme Court jurisdiction even before judgment if imperative public importance is such a compelling reason for granting Certiorari as to justify deviation from normal appellate practice and to require immediate determination by this Court [28 USC 2102(e). Denial of adjudication of first case, eviction without cause, confiscation of money without reason, and obstruction from future shelter are of imperative public importance.

Either way, State court jurisdiction ended on June 24, 2002. To avoid obstructing access to this High Court's jurisdiction by dead-line [September 23, 2002], petitioner withdrew from Virginia State Supreme Court her July 08, 2002 "untimely" petition to rehear, leaving final the June 24, 2002 State Supreme Court judgment. "Supreme Court Practice" [fn.1] on Finality

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fn.1. 7th Ed. by Robert L. Stern, Eugene Gressman Stephen M. Shapiro, and Kenneth S. Geller, pub Bureau of National Affairs, Inc.[D.C.] #3.6 to 3.7 at 100 to 108.

explains where broad discretion and conflicting decisions require consideration of Rules 10 + 11.

FEDERAL QUESTIONS control where constitutional protection is violated by multiple judicial abuses. State court delayed rehearing until September 13, 2002. State Court Clerk said chances of granting "untimely" rehearing are infinitesimal.

Constitional rights violated are: Art.1 sec 10: no state shall interfere with private contracts [fn.2]; Amd. IV: protection from search and seizure without cause or reason; Amd. XIV: civil rights, due process, and equal protection under the law.

FEDERAL QUESTION ARISES where state statutes violate the Constitution. Va. Code #55-248.34: Waiver of landlord's right to terminate:

> "Unless the landlord accepts the rent with reservation and gives a written notice to the tenant of such acceptance within five days of receipt of the rent, acceptance of periodic rent payments with knowledge in fact of A MATERIAL NONCOMPLIANCE BY THE TENANT shall constitute a waiver of the landlord's right to terminate the rental agreement.."

The delinquent are protected, but state law protecting the law-abiding is silent.

It is not in the public interest to allow only delinquents waiver with silence for others. ACCEPTANCE OF THE TENANT'S PREPAYMENT should constitute a waiver of the landlord's right to terminate the rental agreement.."

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fn.2. [see below p.9] THE RECORDS OF THE FEDERAL CONVENTION OF 1787.

"The Undervalued Nonlegislative Rule" [fn.3] refers to silence in law being interpreted by administrative construction. Where silence exists the Court should also interpret unfair and harmful statutes. Virginia courts cannot protect citizens if state courts practice politics, and not law.

CONSTITUTIONAL PROVISIONS AND STATUES

The Ordinance of Congs [see below p.9]; U.S. Constitution Art 1, sec.10[1], Amends IV, XIV sec.1; USSC Rules 10,11,29 federal code #28 us 1257: precedents such as United National Insurance Co. v. Latex Co. 141 F.3d 916 [9th Cir. 1998], Liteky v. U.S. 510 U.S. 540, 114 S.Ct. 1147, 127 L.Ed.2d.474 [bias]; Johnson v. Marcel, 465 S.E.2d 815 [Va.Supreme Court 1996] right of possession by prepayment, damages for emotional distress absent physical injury," TXO v. Alliance [1993] 509 US 443, 113 S.Ct. 2711; 125 L.Ed.2d 366 [slander of title]; Federal Rule of Evidence #201(b) and Va Rule 5:25 [judicial notice is mandatory]; Virginia State codes #55-248.8 [binding unsigned lease], #55-248.34 [waiver only for delinquents, silence to law abiding], #55-248.39 [retaliation]

STATEMENT OF THE CASE

This uncontested lawsuit of two consolidated cases No one denies. Both concern Smith's evicting Pierson without cause or reason while holding Pierson's prepayments, converting them into a Check dated May 25, 2001 with a letter to quit.

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fn.3. Administrative Law Review vol 54, no.2, spring 2002 pub American Bar Associationn at 871 ff by Russell L. Weaver introduction #3

The unaccepted Check, in the Court Vault, was denied entry into evidence, then destroyed.

Pierson's June 27, 2001 Complaint against Smith, Smith retaliated. Suppression of dispositive facts and laws to Pierson's detriment, are on record.

On December 06, 2001 the well informed presiding judge was replaced. On December 17, 2001 a last minute judge signed an Order Written by Smith's attorney who Dismissed without adjudication the controlling case; and took possession of Pierson's home; two money judgments, and attorney fees.

Pierson's petition to rehear her refused appeal to State Supreme Court was rejected as untimely.

Jurisdiction of the Virginia State Supreme Court thus terminated on June 24, 2002.

Pierson's attempts to obtain another home have been obstructed ever since the eviction [see on point TXO v. Alliance] [p.12].

REASONS FOR ALLOWING WRIT

A. THE CONTROLLING QUESTIONS ARE IGNORED

Petitioner Pierson's claims as errors Trial Court's bias and prejudice, abuse of process and discretion, suppression of dispositive questions by ordering both eviction, simultaneously ordering seizure of substantial prepayments having been accepted without notice or reservation for no cause or reason, dismissing the first of two consolidated cases in order to vitiate laws that the second case is Retaliation against the first.

B. SWITCHING JUDGES AT THE LAST MINUTE

The Circuit Court Judge had presided for almost one year over this consolidated case [#01-508 with added 01-616 aka 01-814]. Just before trial said judge was replaced by another in conflict with normal procedure for no apparent reason.

C. ZIMBABWE IN AMERICA

The uninformed Judge who refused to notice a motion for mandatory judicial notice, who evicted the old lady, took all of her prepaid rent, and demanded more money, is black. The helpless old lady is white. Possibly motivation was political [to be analysed in brief if petition is granted]. A perpetrator slowly, one by one, appears to be convincing blacks that the helpless old woman is concerned with skin colors. Being homeless has nothig to do with color, nor does her loss of financial security.

WE THE PEOPLE of every color are good, bad, some compromise even our beloved Constitution. Justices Rehnquist and Breyer explained cogently how desperately judges need more income to support their obligations.

The Zimbabwe government openly passes racially discriminating laws which order eviction without cause or reason. In America covert action is used to evict by subverting our laws which protect us.

D. BIAS AND PREJUDICE AND THE "PERVASIVE BIAS" EXCEPTION

The U.S. Supreme Court ruled in Liteky v. U.S. that a judge's impartiality might reasonably be questioned in Any case even if there is only an

Appearance of bias or prejudice [at 548]. A predisposition can be characterized as "bias" or "prejudice" because

"it is so extreme as to display clear inability to render fair judgment"

Some courts call this the "pervasive bias" exception to the extrajudicial source doctrine (at 551) 28 US 455(a) states [see Liteky at 548] that what matters is Appearance of bias and prejudice

Petitioner was unlawfully driven out of her home in Arlington County, where a fair trial has been seen as in appropriate for a person who has been evicted from her home of four years and whose prepayments were confiscated as well. Circuit Court did not allow Pierson to examine the Report.

E. THE CHECK PROVES LANDLORD'S BREACH OF LEASE

[see Lodgings page 2 for copy of check]

The uninformed Trial Judgerefused to receive into evidence the check which had emptied Petitioner's prepayment account or to consider whether Respondent had breached the lease by endorsing said May 25, 2001 Check, which is key to both cases. Said Check, which Petitioner refused to accept, was not included in the evidence, despite the Court's possession of it.

Said Judge ignored and suppressed the most conclusive, fundamental, and controlling evidence: the Check [copy is in Lodgings p.2], mentioned by all parties and witnesses throughout the Trial] which had forced Petition-er Pierson to file her June 27, 2001 Complaint against Respondent Smith for breaching their oral agreement.

Petitioner told said Trial Judge at the outset of the Trial that the Check, the primary evidence of the consolidated cases, was in the

Court Vault. Said Judge refused to put it, or any other evidentiary matter cited by Pierson, on the evidence list [see transcript].

Said Check was mentioned repeatedly at trial by both parties and all witnesses as primary evidence, yet it is not listed as such on the Trial Transcript [see page 2]. Pierson told the Court that said Check was in the Clerk's Office vault because clerks refused to give said Check to Petitioner to take to trial] and said Trial Judge suppressed every mention of it [see transcript Table of Content & passim].

Said belatedly chosen Trial Judge also accepted Smith's statement on Pierson's right to remain in her home until July 2002. Respondent attorney:

> "I haven't heard one bit of evidence that would give her the ability to stay through."

[Raftery, trns 96, 1, 13-14. see Va.Code 55-248.8] ignoring all laws while wrongfully helping suppress said check; Smith's account for Pierson's prepayments; and Pierson's much cited Va. Code 55-248.8 on unsigned or oral undelivered rental agreement which allowed a one year term [until July 01, 2002 in the instant case].

Respondent says that the oral contract was not an agreement. The law says: oral agreement under acceptance of prepayment without reservation and permitting Petitioner's possession of her home is an agreement as firm as any written lease [see Va.code 55-248.8]. Johnson v. Marcel 465 S.E.2d 815 [1996] adds the right to damages for emotional distress absent physical injury," Lack of accountability, abuse of discretion, and suppression of all dispositive facts and controlling laws prevail. Said harmful errors, even if second case were not void-ab-initio, conflict with the law which protects against unlawful and

retaliatory eviction and extortion.

Harmful Trial Errors include not acknowledging evidence, never making factual findings, never providing supporting reasoning as required by law. [See United National Ins. Co. v. Latex, 141 F.3d 916 (9th Cir.1998)], suppression during Trial Motions for judgment, Motion for mandatory judicial notice, and dismissing only the first case, all without Court's citing or even mentioning said motions. Judgment was based on total suppression of controlling first case, Not on opinion of the two consolidated cases.

F. THE CONTRACT
CONTRACT RIGHTS ARE FEDERAL QUESTIONS

THE UNITED STATES CONSTITUTION

The Contract Clause in Article I, sec.10 of the U.S. Constitution states:

> "no state shall .. pass any .. Law impairing the Obligation of Contracts."

SOURCES OF ORIGINAL INTENT
THE RECORDS OF THE FEDERAL CONVENTION OF 1787 ANALYZE THE FORMATION OF THE CONSTITUTION

"Documents of History" ed. by Henry Steele Commager, sixth ed. Appleton-Century-Crofts, Inc.1958 [at 128ff] on the Northwest Ordinance;

The Records of The Federal Convention of 1787, by Max Farrand, pub. Yale University Press 1911 ["Records"], vol.II @ 439,440. political and economic problem [see below] at the 1787 Federal Convention efforts to confederate;

"The Constitution of the United States of America: Analysis and Intertretation," prepared by the Congressional Research Service Library of

Congress Johnny H. Killian, George A. Costello, Co-Editors, U.S. Government Printing Office, Washington (1996):

all record formation of THE ORDINANCE OF CONGRESS ["CONGS."]: The originally intended terms:
"prohibition..to interfere" & "private contract" for economic and political reasons, were changed to "imparing" & "obligation."

A JUDGE AND PLAINTIFF CANNOT CONFISCATE DEFENDANT'S PROPERTY

A judge and plaintiff cannot make an agreement to confiscate a defendant's property [CRS at 366, 370, 388].

"The highest state court .. [ruling] has to bend ..to the Supreme Court's interpretation of the obligation of contracts" [CRS at 367].

G. THE CONTROLLING FIRST CASE IS "RESOLVED" AT TRIAL WITHOUT ADJUDICATION

The belatedly chosen Trial Judge, before instructing the Court Reporter to begin the Trial Transcript, told the Court that case #01-508 of the two consolidated cases was "RESOLVED" without Petitioner's knowledge or ability to defend herself. "Resolved" meant dismissed which is in conflict with the original presiding Judge's orders denying Respondent's earlier attempt to dismiss Only controlling #01-508.

H. THE RETALIATORY NATURE OF CASE #01-814 WAS SUPPRESSED IN VIOLATION OF STATE RETALIATION CODE

The June 27, 2001 Controlling Case #01-508 the Court, ignoring fact and law, suppressed, thus

relieving Smith's case of its retaliatory violations of Va. code Code #33-248.39. which prohibits an unlawful detainer where Pierson had already filed a complaint against demand to quit and breach of contract by an unlawful check.

To insure eviction with the Check, Smith had retaliated against Pierson's June 27, 2001 Complaint by increasing rent, decreasing services, on July 06, 2001 bringing an action for possession, trying to terminate rental agreement knowing that Pierson had filed a complaint and testified in Court against Smith.

The-last-minute-Trial-Judge misquoted the original Presiding Judge's orders [see transcript at 4,89,92 etc.]. At Trial Judge accepted Smith's attorney's misleading statements; letters taken as fact [some signed by Smith employees]; witnesses without authority; quoting none of Pierson's authorities; Pierson's explanation [trns at 95], in direct conflict with fact [trns @ 96 1.3-6]; law [supported by "va code #20-238.31" [trns 95], on divorce, not related to provider/user issues.

I. FINAL JUDGMENT WAS ON SECOND CASE ONLY

The December 12, 2001 final judgment, entered 12/17/02] granted Respondent Smith everything wanted without ever having determined the merits of either case. The Court claimed support of "Petitioner's lack of evidence," while said Court held the dispositive evidence of breach of contract: the Check, in Court vaults, denying Pierson the right to enter it into evidence.

Respondent Smith has both possession and money not owed, dispositive questions were suppressed, judges were switched, the

controlling first case was dismissed without adjudication to suppress retaliation of unlawful detainer, the Check etc.. Final judgment appears to be more collusive than decisive. Bias and Prejudice ruled the day on a grand scale.

J. TXO AND MALICE, FRAUD, TRICKERY, DECEIT

TXO v. Alliance [1993] 509 US 443, 113 S.Ct. 2711; 125 L.Ed.2d 366; 61 USLW 4766, states that deprivation of property is grossly unjust enrichment. "Large punitive damage award does Not violate due process." To the contrary, Our "Constitution's .. fundamental guarantee is that the individual citizen is secure against arbitrary or irrational deprivations of property."

TXO's pattern coercing those with unequal bargaining power to defraud is evidence of deliberate wrongful conduct.. Held: the "substantial award was required in order to serve the goals of punishment and deterence,.. Legitimate concern for punishing and deterring TXO," awarded Alliance $10,000,000. punitive damages. This Court held: it did NOT amount to unfair, arbitrary, or irrational punishment and deterence, of such seizure of property." Actual damages of $19,000 is not controlling where malicious, fraudulent, bad faith, trickery and deceit is used in litigation.

The instant cases parallel the TXO pattern. Pierson had asked for similar damages, but after spending nine months trying to find another home, and having become impoverished in the process, having suffered greater malicious, fraudulent, bad faith, trickery and deceit, asks that this Court grant $25,000,000, partly because the instant litigation is one which threatens all Americans with possible permanent loss of their only shelter.

K. PUBLIC INTEREST IGNORED BY STATE COURTS

Our State courts ignore substantial public interest in the safety of ones home, manipulated inpoverishment of a law-abiding American citizen being treated by his/her government in the same manner that the zimbabwe government now treats its own citizens. Extreme abuses of discretion conflict with all state and federal laws.

PRAYER

Accordingly Pierson asks for substantial compensation totaling at least $25,000,000 as requested from State courts after she was obatructed from all other homes. This includes emotional distress [see above p.4]. Justice Rehnquist said [fn.4] on issue of one's child forceably taken away, "isn't losing one's home just as fundamental?" Pierson is now homeless and near destitution from seizure of her bank accounts, prepayments, obstruction of access to substantial inheritance, her home and to any future home as all landlords refuse to accept a person with a "money judgment" whether the order be valid or in violation of the laws. Pierson left the State of Virginia the day eviction was executed for fear of the brutal Virginia judicial system that took away Pierson's life without cause or reason.

Please do not send Petitioer Pierson back to a state where this High Court can refuse to apply certain principles of law in an action involving states if those principles are not appropriate under the circumstances [Am Jur 2d #599 at 810 on U.S. Supreme Court Rule 10].

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fn.4. M.L.B. v. S.L.J. (1996) 519 U.S. 102 in oral argument.

CONCLUSION

For all of these reasons stated herein, the Petition for Writ of Certiorari to Virginia State Supreme Court, to hear petitioner's grievances and to terminate endless prejudicial lawsuits without remand to a state which, in these consolidated cases has shown bias too pervasive to meet due process and equal protection under the law.

Dated:
September 26, 2002

Respectfully submitted,

_____

Joan Godwin Pierson
Petitioner Pro Se

Petition for Certiorari

APPENDIX

ORDER OF TRIAL COURT

DENIAL OF REVIEW BY VA SUPREME COURT

see LODGINGS for copy of check and other relevant dicuments.

TRIAL COURT DECEMBER 12, 2001 ORDER

VIRGINIA

IN THE CIRCUIT COURT FOR ARLINGTON COUNTY

JOAN GODWIN PIERSON Plaintiff, v. CHARLES E. SMITH COMPANY, Defendant	) Law No. 01-508)))) Consolidated for Trial
CHARLES E. SMITH COMPANY, Plaintiff, v. JOAN GODWIN PIERSON, Defendant	))) Law No. 01-814))

ORDER

This matter was before the Court on December 12, 2001 for trial by the Court; and

Upon presentation of Pierso's testimony and evidence with respect to Law No. 01-508 and in further consideration of Defendant's motion to strike such evidence, the Court granted Defendant's motion and struck Pierson's evidence thereby dismissing Law No. 01-508, and

Upon presentation of the evidence of Charles E. Smith Residential Reality, L.P. on its claims against Joan Godwin Pierson as contained n Law No. 01-616 [sic., detrimental error], the Court, after consideration of such testimony, argument by the parties, and the applicable law, finds in favor of Charles E. Smith Residential Realty, L.P. and against Joan Godwin Pierson.

NOW THEREFORE, in consideration of the foregoing, the Court makes the following Orders:

1. Joan Godwin Pierson's claims against Charles E. Smith Residential Realty, L.P. as embodied in Law No. 01-508 be, and hereby are, dismissed.

2. With respect to Charles E. Smith Residential Realty, L.P.'s claims against Joan Godwin Pierson as embodied in Law No. 01-616 [sic., detrimental error], the Court hereby grants possession of Defendant's apartment located at Apartment Number 1811,[sic.]2250 Clarendon Boulevard, Arlington, Virginia 22201 to Plaintiff; and

3. Grants Plaintiff a money judgment for unpaid rent and late charges in the amount of nine thousand twelve dollars and thirty cents ($9,012.30); and

4. Grants a further money judgment in favor of Plaintiff and against Defendant Joan Godwin Pierson in the amount of seven thousand eight hundred thirty-five dollars and fourteen cents ($7,835.14), the Court deeming set amount to be reasonable attorney's fees incurred in the prosecution [sic] and defense of these matters; and it is further

ORDERED that a stay on Plaintiff's entitlement to possession of Pierson's apartment is in place until January 2, 2002. If Pierson has not vacated her apartment by January 2, 2002, Charles E. Smith Residential Realty, L.P. shall be entitled to obtain possession by filing a writ with the Clerk of this Court, which shall be executed forthwith.

This Order is entered the 17th [handwritten] day of December 2001.

<signature>

Hon William T. Newman, Judge for the
Circuit Court of Virginia for Arlington County

I REQUEST ENTRY OF THIS ORDER

<signature>

John B. Raftery, Esquire
Deckelbaum Ogens & Raftery, Chartered
3 Bethesda Metro Center, Suite 200
Bethesda, Maryland 20814
Phone: (301) 961-9200, Facsimile: (301) 961-9229
Attorney for Charles E. Smith Residential
Realty, L.P.

cc: Joan Godwin Pierson, Pro Se
2250 Clarendon Boulevard, Apt. 1811
Arlington, Virginia 22201

[illegible] COPY
TESTE: DAVID A. BELL, CLERK

<illegible signature>

DEPUTY CLERK

VIRGINIA SUPREME COURT JUNE 24, 2002
DENIED REVIEW

VIRGINIA

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Monday the 24th day of June, 2002.

Joan Godwin Pierson — Appellant

against Record No.020679
Circuit Court Nos. 01-508 and 01-814

Charles E. Smith Corporation — Appellee

From the Circuit Court of Arlington County

Upon review of the record in this case and consideration of the argument submitted in support of the granting of an appeal, the Court is of opinion there is no reversible error in the judgment complained of. Accordingly, the Court refuses the petition for appeal.

A Copy,
Teste:
David B. Beach, Clerk
By: <signature> Wendy <illegible>
Deputy Clerk